

PATENT  
Atty. Docket: 60711.000025



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: )  
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J. ESCARY                    )  
                                  )  
Serial No.: 10/698,402        ) Art Unit: Unassigned  
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                                  )  
Filed: November 3, 2003      ) Examiner: Unassigned  
                                  )

For: NEW POLYNUCLEOTIDES AND POLYPEPTIDES OF THE IFN $\alpha$ -5 GENE

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with 37 C.F.R. §§ 1.56, 1.97, and 1.98, Applicants respectfully request consideration of the references listed on the attached Form PTO/SB/08A. Copies of the references listed are also enclosed.

Applicants respectfully point out that the submission of the listed documents in this Information Disclosure Statement is not an admission that they are prior art or that they are material to patentability of any claims of the application. Also, the submission of this Information Disclosure Statement is not an indication that a search has been made.

Applicants respectfully request that the Examiner consider the references cited on the Form PTO/SB/08A and that the Examiner indicate that the references have been considered in this application by returning a copy of the Form PTO/SB/08A with the Examiner's initials in the left column per MPEP 609.

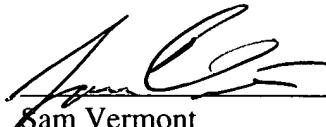
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This IDS is submitted prior to the issuance of a first Office Action on the merits; therefore, it is believed that no fees are required in connection therewith. If any fees are necessitated by the filing of this Information Disclosure Statement, please charge the undersigned's Deposit Account No. 50-0206.

Respectfully submitted,

HUNTON & WILLIAMS LLP

Date: Jan 13, 2004



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Substitute for form 1449A/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet

1

of

1

Application Number

10/698,402

Filing Date

November 3, 2003

First Named Inventor

J. ESCARY

Art Unit

Unassigned

Examiner Name

Unassigned

Attorney Docket Number 60711.25

### U.S. PATENT DOCUMENTS

*Examiner Initials	Cite No.	DOCUMENT NUMBER Number - Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear

### FOREIGN PATENT DOCUMENTS

*Examiner Initials	Cite No.	FOREIGN PATENT DOCUMENT		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	TRANSLATION	
		Country Code:	Number - Kind Code (if known)				YES	NO
1.	WO	00/06596	02-10-2000	Zoon et al.			<input checked="" type="checkbox"/>	<input type="checkbox"/>
2.	EP	1 077 068 A1	02-21-2001	Prieto et al.			<input checked="" type="checkbox"/>	<input type="checkbox"/>
3.	WO	01/25438 A2	04-12-2001	Heinrichs et al.			<input checked="" type="checkbox"/>	<input type="checkbox"/>

### NON-PATENT LITERATURE DOCUMENTS

*Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published		
	4.	K. HENCO <sup>a</sup> et al., "Structural Relationship of Human Interferon Alpha Genes and Pseudogenes," J. Mol. Biol. (1985), 185, pp. 227-260		
	5.	K. HENCO et al., "Human interferon alpha gene IFN-alpha 5," MEDLINE, J. Mol. Biol. 185: pp. 227-260 (1985), accession no. X02956, XP-002191414, ABSTRACT		
	6.	K. HENCO et al., INA5_HUMAN, accession no P01569, XP-002191415, pp. 1-2, ABSTRACT		
	7.	International Search Report dated 03-07-03 for Application No. PCT/EP02/05458		

EXAMINER SIGNATURE

DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.